

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

STATE TENNESSEE

NONDISCRIMINATION

Previously approved Statements of Compliance with Title VI of the Civil Rights Act are on file in the Department of Health, Education and Welfare.

Rec'd 1-23-74 OPC-11 # 74-1 Dated 1-10-74

R.O. Action <sup>A</sup>5-29-74 Date <sup>66</sup>11-31-73

Obsoleted by \_\_\_\_\_ Dated \_\_\_\_\_

X Approved By OLC  
5/22/74

STATE OF TENNESSEE  
METHODS OF ADMINISTRATION FOR TITLE VI  
CIVIL RIGHTS ACT OF 1964

Rec'd 1-23-74 OPC-11 # 74-1 Dated 1-10-74

ASSIGNMENT OF AUTHORITY

R.O. Action <sup>A</sup> 5-27-74 Date 4/6 11-31-73

Obsoloted by \_\_\_\_\_ Dated \_\_\_\_\_

Commissioner

Tennessee Code Annotated states that each authorized department in the State of Tennessee shall have a chief executive officer and that officer will be called Commissioner. The Commissioner will be the administrative head of the department and shall have charge and general supervision of the department. Tennessee Code Annotated also specifies that there shall be a Department of Public Health which shall be responsible for the interests relating to health and lives of the people in the State. Therefore, the Commissioner of the Tennessee Department of Public Health being the chief executive of the Department, will have the ultimate and complete authority and responsibility for Civil Rights for the agency.

Civil Rights Co-ordinator

The Commissioner has assigned the primary authority for the continuing implementation of Title VI of the Civil Rights Act of 1964 to the Title VI (Civil Rights) Co-ordinator for the Tennessee Department of Public Health. The responsibility, limitations and authority vested in this position includes:

1. Dissemination of information concerning the Department's obligations under Title VI of the Civil Rights Act of 1964, Departmental Regulations, Statement of Compliance and Methods of Administration and through training sessions, written material, meetings, notices and public announcements.

2. Maintaining and reviewing reports on initial and annual reviews of the Department's own operations, vendors, contractors, and other providers of services to assure compliance with Title VI.
3. Receiving and investigating all Title VI complaints from applicants, recipients, and other interested parties. If possible Title VI violations or deficiencies are validated, the state Title VI Co-ordinator will assure prompt and corrective actions are taken. If Title VI compliance cannot be negotiated, the respective vendor, contractor, or other provider of service will be terminated from participation in the Department's program.
4. Acting for the Department in Title VI matters with departmental staff, other state agencies, local governments, providers or recipients of departmental program services, the general public and federal agencies.
5. Assuring that contracts or agreements are not negotiated with noncomplying vendors such as doctors, hospitals, nursing homes, etc., or if compliance issues cannot be resolved, these contracts or agreements will not be maintained. Also, taking steps to assure that referrals are not made to noncomplying facilities, agencies, or other providers of services.
6. Maintaining files and records relating to Title VI matters.

Local Health Departments Civil Rights Co-ordinator

Each local health department will have a designated Civil Rights Co-ordinator.

The responsibility, limitations and authority vested in this position includes:

1. Dissemination of Title VI Civil Rights information to staff and clients;

2. Providing Title VI compliance information to the State Coordinator when requested;
3. Observing practices of the local health department for assurance of compliance with Title VI guidelines;
4. Being assured that all facilities, services and benefits of the local health department are not denied because of race, color, or national origin;
5. Orienting staff to Title VI responsibilities;
6. Being assured that referrals for service are not made to facilities or individuals who are known to be not complying with Title VI guidelines;
7. Serving as Title VI liaison to State Civil Rights Coordinator;
8. Making certain that Title VI complaint forms and Title VI statements are available in required locations;
9. Making information available to general public that local health department services and facilities are available without regard to race, color, or national origin;
10. Documenting, as required by the State Coordinator, that local health department staff works with the public on a non-racial basis;
11. Assuring that courtesy titles and racial designation are properly utilized;
12. Transmitting, in writing, all Title VI Civil Rights complaints to State Coordinator whether received verbally or in writing and resolved or unresolved;

13. Maintain files and records relating to Title VI matters.

Regional Health Department Civil Rights Coordinator

Each Regional Health Department will have a designated Civil Rights Coordinator. The responsibility, limitations, and authority vested in this position includes:

1. Dissemination of Title VI Civil Rights information to staff and clients;
2. Providing Title VI compliance information to the State Coordinator when requested;
3. Observing practices of the regional health department for assurance of compliance with Title VI guidelines;
4. Being assured that all facilities, services and benefits of the regional health department are not denied because of race, color, or national origin;
5. Orienting staff to Title VI responsibilities;
6. Being assured that referrals for service are not made to facilities or individuals who are known to be not complying with Title VI guidelines;
7. Serving as Title VI liaison to State Civil Rights Coordinator;
8. Making certain that Title VI complaint forms and Title VI statement are available in required locations;
9. Making information available to general public that regional health department services and facilities are available without regard to race, color, or national origin;

10. Documenting, as required by the State Coordinator, that regional health department staff works with the public on a non-racial basis;
11. Assuring that courtesy titles and racial designation are properly utilized;
12. Transmitting, in writing, all Title VI Civil Rights complaints to State Coordinator whether received verbally or in writing and resolved or unresolved;
13. Maintain files and records relating to Title VI matters.

Departmental Division and Program Directors

Each Division and/or Program Director of the Tennessee Department of Public Health will have the following responsibilities, limitations, and authority vested in them:

1. Refer all Title VI complaints to the State Title VI Coordinator;
2. Be assured that all staff members are aware of Title VI requirements;
3. Provide Title VI compliance information to the State Coordinator when requested;
4. Transmit, in writing, all Title VI Civil Rights complaints to the State Coordinator whether received in writing or verbal and resolved or unresolved;
5. Be assured that Title VI guidelines are being observed in the Division or Program.

### Division of Internal Audit

The Division of Internal Audit in the Tennessee Department of Public Health during their audits of Regional and Local Health Departments, will have the following responsibilities, limitations, and authority vested in them:

1. Complete necessary forms for on-site compliance reviews and submit findings to State Coordinator;
2. Review information obtained during compliance reviews with State Coordinator.

### Division of Medicaid

The Division of Medicaid in the Tennessee Department of Public Health maintains Regional Administrators which act as information and assistance representatives to the Medicaid recipients and providers of service in their respective regions and as a part of their regular duties contact is made with these people. During these contacts they will have the following responsibility, limitations, and authority vested in them:

1. Complete the compliance reviews for physicians participating in the Medicaid program as indicated by complaints, participation and racial population;
2. Refer, in writing, all Title VI Civil Rights complaints to the State Coordinator whether received verbally or in writing and resolved or unresolved;
3. Review information obtained during compliance reviews and other sources with the State Coordinator.

### Division of Certification and Licensure

The Division of Certification and Licensure in the Tennessee Department

of Public Health has two sections; one being entitled Licensing and the other Certification. The Certification Section will have the following limitations, responsibility, and authority vested in them:

1. Verification of Title VI Civil Rights compliance information as requested by the State Coordinator those institutions providing contractual services to the Tennessee Department of Public Health;
2. Providing approval for certification and recertification only for institutions which Title VI Civil Rights compliance has been approved by the State Coordinator or the appropriate Federal Agency;
3. Reviewing information obtained during reviews with State Coordinator.

The License Section will have the following limitations, responsibility, and authority vested in them to those hospitals not being certified for Medicare or Medicaid which provide contractual services for the Tennessee Department of Public Health:

1. Verification of Title VI Civil Rights compliance information as requested by the State Coordinator;
2. Review information obtained during reviews with State Coordinator.

#### I. DISSEMINATION OF INFORMATION

The following methods will be utilized to maintain Tennessee Department of Public Health employees, all local health department employees, applicants and recipients of services and vendors apprised of the requirements of Title VI, and all the rights and responsibilities that it



assures:

1. An in-service training program for all Local and Regional Civil Rights Coordinators will be maintained by the State Coordinator with assistance from the Office For Civil Rights as required;
2. All Regional and Local Health Civil Rights Coordinators will provide an in-service training program concerning Title VI responsibilities and provide a training program for all new employees. Assistance by the State Coordinator and the Office For Civil Rights will be provided as necessary;
3. An in-service training program for all Central Office employees will be provided by the State Civil Rights Coordinator with assistance from the Office For Civil Rights as required;
4. Training will be provided to new employees in the employee orientation program provided by the Division of Personnel, Recruitment, and Training;
5. Division and Program Directors will schedule new employees to attend Title VI Civil Rights training sessions as they are employed;
6. Each Division and Program Director, Local Health Department and Regional Health Department be provided a copy of the Tennessee Department of Public Health's Statement of Compliance, Methods of Administration, Title VI and Regulations and Title VI Questions and Answers;
7. A poster 14 inches by 11 inches stating the Tennessee Depart-

ment of Public Health policy concerning Availability of Services, Availability of Accommodations and the Right to complain relating to Title VI will be noticeably posted in all Regional and Local Health Departments, Chest Disease Hospitals, Clinics, and Satellite or Mobile clinics;

8. Tear-off complaint instruction forms will be available in all reception areas, clinics, satellite clinics and mobile clinics;
9. All contracts for service will contain the Title VI Civil Rights statement as stated by the Office for Civil Rights;
10. Information concerning the Tennessee Department of Public Health's policy concerning Title VI will be provided to the public through media releases, informational booklets and personal contact of health employees with recipients and providers of service;
11. Information packages as approved by the Office for Civil Rights will be provided to employees, clients, recipients, and vendors;
12. The following types of personnel will receive Title VI Civil Rights training if they have contact with the general public;
  - A. Clerical staff in regional and local health departments;
  - B. Clerical Staff in Chest Disease Hospitals;
  - C. Technicians (Medical);
  - D. M.D.'s;
  - E. D.D.S.'s;